

GUIDE for the EMPLOYMENT of TEENAGERS

ENSURING SAFETY-HEALTH-EDUCATION



STATE OF ALABAMA
DEPARTMENT OF LABOR
CHILD LABOR OFFICE

www.alalabor.state.al.us

WHAT EMPLOYERS NEED TO KNOW

ABOUT ALABAMA'S CHILD LABOR LAW

PURPOSE

The Alabama Child Labor Law was enacted to protect working minors. While the Department encourages the employment of teenagers in legal jobs which are safe and healthy, the law prohibits youths from working in occupations or places of employment which could be harmful to their health or moral well-being. By regulating the hours during which youths are allowed to work, the law ensures them sufficient time to take advantage of their educational opportunities.

To a teenager, a job means:

- Money for school.
- Valuable work experience
- The start of a work career.
- The chance to be somebody.

You can hire teenagers. It's easy!

We trust this guide will be helpful as you employ teens. Please feel free to contact our office any time you need help.

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WHAT TEENAGERS CAN DO

Under the Alabama Child Labor Law, teenagers age 18 and older may work at almost any job, **except** certain jobs where alcoholic beverages are served for consumption on the premises. (A minimum of 21 years of age is required to serve alcoholic beverages where they are served for consumption on the premises.)

Ages 16 and older may work at most jobs in:

- | | |
|---------------------------|-----------------------------------|
| ● manufacturing | ● construction |
| ● insurance & real estate | ● canneries |
| ● local government | ● laundries & dry cleaning plants |
| ● feed mills | ● garages & auto repair shops |
| ● ranches | ● hospitals & nursing homes |
| ● grain elevators | ● hotels & motels |
| ● wholesale houses | ● restaurants |
| ● warehouses | ● radio & TV repair |
| ● greenhouses & nurseries | ● photographic labs |
| ● state & national parks | ● public utilities |
| ● retail stores | ● printing & publishing firms |
| ● retail lumberyards | ● agricultural occupations |

Ages 14 and older may:

- work at most jobs in packing fresh fruits & vegetables
- work as models
- work at radio and TV stations
- work in advertising agencies
- deliver newspapers to the consumers
- caddie
- answer phones and take messages in a business office
- dispense gas and oil, wash and polish cars at service stations
- do office and clerical work
- work in food service establishments, preparing, cooking and serving food at lunch counters and in cafeterias, washing dishes, doing cleanup work, and cooking in snack bars and soda fountains.
- work in retail stores, running errands and delivering goods by foot, bicycle or public transportation, selling, pricing, marking, packing and shelving merchandise, assembling orders, bagging and carrying out customer's orders, cleaning vegetables and fruits, and trimming windows.

WORK PERMITS REQUIRED

Employers of minors must comply with the provisions of the Alabama Child Labor Law. With the exception of agricultural employment, employers must have work permits on file for each employee under 18 years of age. Permits are also required for 18-year-olds working in any capacity in, about, or in connection with a mine, coke breaker, coke oven, or quarry. **Neither marriage nor high school graduation exempts a person from having to obtain a work permit.**

Children employed by their own parents in connection with their own business or trade must obtain work permits and comply with all other provisions of the Alabama Child Labor Law.

WHO ISSUES WORK PERMITS

Work permits are issued by issuing officers stationed at all city and county boards of education, at most high schools, and many private and church schools.

HOW TO OBTAIN A WORK PERMIT

1. To obtain a work permit, a teenager must personally appear before the issuing officer and present the following information:
2. Completed "Application for Child Labor Work Permit".
3. Employer's statement of their intent to employ the minor and what duties the youth will perform.
4. Parent's statement.
5. School statement (not required for minors 16 or older, nor for any minor during summer months when school is not in session).
6. Proof of age, which can include: (a) certified copy of birth certificate; (b) baptismal record showing the date of birth and place of baptism; (c) bona fide Bible record of birth; (d) life insurance policy that is at least one (1) year old; (e) passport or certificate of arrival in the United States which shows age of child; (f) **valid pictured driver's license from any state.**

MINIMUM AGE FOR EMPLOYMENT

The minimum age for employment in Alabama is 14. **Exception:** persons age 12 and older may be issued work permits which authorize them to distribute newspapers or periodicals on fixed routes.

STREET TRADES/NEWSPAPER DELIVERY

Alabama law allows minors age 14 and older to sell items on the street or door-to-door. Minors must obtain work permits and carry those permits while working. Employers should be aware of the following guidelines:

1. Persons age 12 and older may be issued permits which authorize them to distribute newspapers or periodicals on fixed routes.
2. Persons 14 years of age or older may be issued permits which authorize them to not only distribute newspapers on fixed routes in residential areas of towns and cities, but also to sell newspapers, periodicals, and other items along streets or in public places within the legal hours of such work.
3. All such permits must be carried on the person of the minor when working in street trades or newspaper delivery. Further, the above employment of any minor under age 16 must be conducted outside the hours of school and not before 5 a.m. or later than 7 p.m.

MODELING

Minors employed as models are not required to obtain work permits, nor are they subject to restrictions as to when and how many hours they may work. However, the following requirements must be met:

1. The employing person or agency must report to the Department the names, addresses and telephone numbers of all minors under age 18 who are working as models.
2. Modeling work by minors under age 16 must not interfere with their school performance, nor can it be hazardous to their safety or detrimental to their moral well-being.

HOURS OF WORK

For 16-,17-, and 18-year-olds:

16-, 17-, and 18-year-olds who are enrolled in public or private primary or secondary school systems are prohibited from working before 5 a.m. or after 10 p.m. on any night preceding a school day. (Usually Sunday night through Thursday night.) Otherwise, there are no restrictions as to the number of hours 16-, 17-, and 18-year-olds may work.

NOTE: Students age 16, 17, or 18 who have been granted a written Certificate of Exemption from their superintendent or headmaster are exempt from the above hour restrictions.

For 14- and 15-year-olds:

- **During the months when public schools are in session a 14 or 15 year-old may work:**
 - No more than 3 hours on a school day
 - No more than 8 hours on a non-school day.
 - No more than 18 hours per week.
 - Not before 7 a.m. or after 7 p.m. on any day of the week.
- **During the summer months when public schools are not in session a 14 or 15 year-old may work:**
 - No more than 8 hours a day.
 - No more than 40 hours a week.
 - No more than 6 days a week.
 - Not before 7 a.m. or after 9 p.m. on any day of the week.

Note: Persons under 16 may not engage in delivering newspapers or periodicals before 5 a.m. or after 7 p.m.

MEALS AND REST PERIODS

Employees ages 14 and 15 who are required to work more than five (5) hours continuously must be given a meal/rest period of at least 30 minutes duration.

HOME SCHOOLING

Young persons who receive home schooling are subject to certain provisions of Alabama's Child Labor Law.

Persons ages 14 and 15 in a home school situation are restricted from working during the hours in which the public schools of that district are in session, unless the parent presents to the Department a valid document stating that the child has completed, in an equivalent manner, the course of study for secondary schools.

Persons ages 16, 17 and 18 who are home-schooled are not subject to the hour restrictions contained in the Alabama Child Labor Law. They may not, however, work in hazardous occupations prohibited by law.

PERMITS MAY BE REFUSED AND REVOKED

An issuing officer can refuse to issue a work permit that would be in violation of Alabama's Child Labor Law. Further, he or she may refuse to issue a work permit to any 14- or 15-year-old who fails to maintain satisfactory grades in school.

Officials charged with enforcement of the Alabama Child Labor Law have the authority to revoke permits: 1) which have been secured through misrepresentation or fraud; 2) which have been erroneously issued; 3) which have been issued to 14- and 15-year olds whose school work becomes unsatisfactory.

REISSUANCE OF PERMITS

A teenager must obtain a new child labor work permit each time he or she accepts employment with a new employer, or duties change with a present job. Therefore, the process of completing an application with the employer's statement, parent's statement, and school record (when required) must be repeated.

IN-STATE vs. OUT-OF-STATE EMPLOYMENT

Work permits for minors residing in Alabama but working in another State:

Child Labor Laws differ from state to state; therefore work permits issued in Alabama may not be valid in other states. The teenager should be informed that he or she may have to obtain that state's work permit.

Work permits for non-resident minors who intend to work in Alabama:

All persons under 18 years of age working in Alabama must obtain an Alabama Child Labor Work Permit. If the minor has another state's work permit, that permit may be used only as proof of age.

FREE ACCESS

The Department of Labor has the right to inspect any establishment where minors are or may be employed. The inspection may occur at any time and is solely for the enforcement of Alabama's Child Labor Law.

RECORD KEEPING

Employers must keep all employee records relating to child labor for a minimum of one year. Records shall include applications, work permits, I-9s, and time cards.

PENALTIES

Any person, firm, or corporation who is found to be in violation of Alabama's Child Labor Law may be subject to penalties as prescribed by the statute.

PROHIBITED OCCUPATIONS AND PLACES OF EMPLOYMENT FOR MINORS UNDER AGE 16

No person under 16 years of age may be employed in, about, or in connection with any type of manufacturing or mechanical establishment, factory, cannery, mill, workshop or machine shop, or at any of the following occupations or places:

- (1) Operating or assisting in operating sanding, wood polishing, washing, grinding, or mixing machinery, or commercial laundry machines.
- (2) Operating or assisting to operate fiber picking machines.
- (3) Any work in a rolling mill.
- (4) In proximity to unguarded gearing.
- (5) Upon any commercial boat within the jurisdictional waters of Alabama.
- (6) In the manufacture of paints.
- (7) In places of work with excessive dust.
- (8) Soldering, brazing, heat treating and welding.
- (9) In the building trades, except persons 14 and 15 years of age who are immediate family members of the contractor may be employed with that contractor in duties which are non-hazardous.
- (10) Working at the top of ladders, lifts, or scaffolds at heights exceeding 6 feet.
- (11) Work at junk and scrap metal yards.
- (12) Assorting, manufacturing, or packing tobacco.
- (13) Operating automobiles, trucks, or flagging traffic.
- (14) In airport hangers, landing strips, or taxi and maintenance aprons.
- (15) In lumberyards.

PROHIBITED OCCUPATIONS AND PLACES OF EMPLOYMENT FOR MINORS UNDER AGE 18

No minor under 18 years of age may be employed in, about, or in connection with any of the following occupations, positions, or places:

- (1) In or around mines, coke breakers, coke ovens, or quarries in any capacity.**

Exception: Minors 16 or older may be employed in the business office of a mining operation. The office must be separate and apart from the mining area. A separate entrance must enter the office and access to the office through the mining area may not be utilized by persons under age 18.

- (2) In wrecking, demolition, or shipbreaking.**

Definitions: The terms “wrecking, demolition, and shipbreaking operations” shall mean all work, including cleanup and salvage work, performed at the site of the total or partial razing, demolishing, or dismantling of a building, bridge, steeple, tower, chimney, other structure, ship or other vessel.

- (3) In tunnels or excavations with depths exceeding four (4) feet.**

The following occupations in excavation operations are prohibited: Excavating, working in, or backfilling (refilling) trenches, except manually excavating or manually backfilling trenches that do not exceed four feet in depth at any point.

Exception: Minors age 16 or older may be issued a permit to work at excavation sites which are less than 4 feet in depth.

- (4) In roofing, scaffolding, or sandblasting operations.**

Definition: The term “*roofing operations*” shall mean all work performed in connection with the application of weatherproofing materials and substances (such as tar or pitch asphalt prepared paper, tile, slate metal, translucent materials, and shingles of asbestos, asphalt or wood) to roofs of buildings or other structures.

Also included is all work performed in connection with: (1) the installation of roofs, including related metal work such as flashing, and (2) alterations, additions, maintenance, and repair, including painting and coating, of existing roofs.

(5) Operating or driving trucks or heavy equipment over three tons gross weight.

Alabama law allows minors 16 years of age and older to operate automobiles or trucks (including school buses), but required a person to be 18 years of age or older to drive trucks or heavy equipment which are over 3 tons gross weight. Minors must hold state licenses valid for type of driving to be performed. Vehicles must be equipped with seat belts for driver and each helper.

Federal Restriction: Federal law prohibits persons under 18 years of age from being employed as drivers of motor vehicles or as outside helpers on vehicles.

(6) In logging or around sawmills, lath mills, shingle, or cooperage-stock mills.

Prohibited occupations in logging are as follows:

- all work performed in connection with the felling of timber:
- the bucking or converting of timber into logs, poles, piles, ties, bolts, pulpwood, chemical wood, excelsior wood, cordwood, fence posts, or similar products;
- the collecting, skidding, yarding, loading, transporting, and unloading of such products in connection with logging;
- the constructing, repairing and maintaining of roads, railroads, flumes, or camps used in connection with logging;
- the moving, installing, rigging and maintenance of machinery or equipment used in logging; and

Occupations in the operation of any sawmill, lath mill, shingle mill, or cooperage-stock mill shall mean all work performed in or about any such mill in connection with:

- storing of logs and bolts;
- converting logs or bolts into sawn lumber, laths, shingles, or cooperage stock, or other products or such mills; and
- other work performed in connection with the operation of any sawmill, lath mill, shingle mill, or cooperage-stock mill.

(7) Operating power-driven woodworking machinery.

Prohibited occupations involving the operation of power-driven woodworking machines include:

- The occupation of operating power-driven woodworking machines including supervising or controlling the operation of such machines, feeding material into such machines, and helping the operator to feed material into such machines (but not including the placing of material on a moving chain or in a hopper or slide for automatic feeding);
- Setting up, adjusting, repairing, oiling, or cleaning power-driven woodworking machines; and
- The operations of off-bearing from circular saws and guillotine-action veneer clippers.

Definitions: "*Power-driven woodworking machines*" are fixed or portable machines or tools driven by power and used or designed for cutting, shaping, forming, surfacing, nailing, stapling, wire stitching, fastening, or otherwise assembling, pressing, or printing wood or veneer.

"*Off-bearing*" means the removal of material or refuse directly from a saw table or from the point of operation.

(8) Operating power-driven bakery machines.

Includes operating, assisting to operate, setting up, adjusting, repairing, oiling or cleaning the following machines; *horizontal or vertical dough mixer, batter mixer, bread dividing, rounding, or molding machine, dough brake, dough sheeter, combination bread slicing and wrapping machine, or cake cutting band saw; or in the occupation of setting up or adjusting a cookie or cracker machine.*

(9) Operating power-driven paper products machinery.

The following occupations are prohibited:

- Operating or assisting to operate any of the following power-driven paper-products machines; arm-type wirestitcher or stapler, circular or band saw, corner cutter or mitering machine, corrugating and single-or double-facing machine, envelope die-cutting press, guillotine paper cutter or shear, horizontal bar scorer, laminating or combining machine, sheeting machine, **scrap-paper baler**, or vertical slotter, platen die-cutting press, platen printing press, or punch press which involves hand feeding of the machine.
- Setting up, adjusting, repairing, oiling or cleaning these machines, including those which do not involve hand feeding.

(10) Upon steam, electric, diesel, hydraulic, or other railroads.

Includes, but is not limited to work in any connection with locomotives, maintenance vehicles, and track and bed repair.

(11) As firefighters.

Includes paid or volunteer work fighting fires.

(12) Operating stamping machines.

Includes stamping machines used in sheet metal or tin ware, in paper and leather manufacturing, or bolt factories.

(13) In or around any steam boiler or rolling mill machinery.

(14) Operating power-driven metal forming, cutting, straightening, drawing, punching, or shearing machines.

The following occupations are prohibited:

- Operating or assisting with the following:
 - a. All rolling machines, such as beading, straightening, corrugating, flanging, or bending rolls, and hot or cold rolling mills.
 - b. All pressing or punching machines, such as punch press except those provided with full automatic feed and ejection and with a fixed barrier guard to prevent the hands or fingers of the operator from entering the area between the dies, power presses, and plate punches.
 - c. All bending machines, such as apron brakes and press brakes.
 - d. All hammering machines, such as drop hammers and power hammers.
 - e. All shearing machines, such as guillotine or squaring shears, alligator shears, and rotary shears.
- Setting up, adjusting, repairing, oiling, or cleaning these machines including those with automatic feed and ejection.

(15) Operating power-driven hoisting equipment.

Includes operating or assisting to operate elevators, cranes, derricks, and other power-driven hoisting apparatus, with the exception of unattended automatic passenger elevators that do not exceed 1 ton capacity. Also prohibited are high-lift trucks known under such names as **forklifts, fork trucks, forklift trucks**, tiering trucks or stacking trucks.

- (16) Operating paper cutting, stapling, corrugating, or punching machines.**
- (17) Assembling, adjusting, cleaning, oiling, or servicing machinery in motion.**
- (18) Operating circular saws, band saws, or guillotine shears.**

Includes operating, assisting to operate, setting up, adjusting, repairing, oiling or cleaning power-driven (fixed or portable) circular saws, band saws and guillotine shears.

- (19) Distillery of alcoholic beverages.**

Includes occupations in or around any distillery where alcoholic beverages are manufactured, bottled, wrapped, or packed.

- (20) Manufacturing and storing explosives.**

Includes occupations in or about plants or establishments involved in the manufacturing, mixing, transporting, or handling of explosive compounds or **fireworks**, or in the manufacture of small arms ammunition, and all other occupations requiring the performance of any duties in which explosive compounds are manufactured or mixed.

- (21) Manufacturing of brick, tile, or similar products.**

Includes work in and about establishments in which: 1) clay construction products are manufactured (except work in storage, shipping, offices, laboratories, storerooms, and in drying departments of plants which manufacture sewer pipe); 2) silica brick or silica refractories are manufactured (except work in offices).

- (22) Manufacturing or transporting dangerous or toxic chemicals or compounds.**

- (23) In, about, or in connection with poisonous dyes, dangerous or poisonous gases, compositions of lye in dangerous quantities, dangerous or poisonous acids, or pesticides.**

(24) In activities involving exposure to radioactive substances or ionizing radiation.

Includes work in and around where: (a) radium is stored or used in the manufacture of self-luminous compound; (b) self-luminous compound is made, processed, or packaged; (c) self-luminous compound is stored, used, or worked upon; (d) incandescent mantles are made from fabric and solutions containing thorium salts, or are processed or packaged; or (e) other radioactive substances are present in the air in average concentrations exceeding 10 percent of the maximum permissible concentrations recommended for occupational exposure by the National Committee on Radiation Protection.

(25) Around asbestos or other cancer-causing agents.

(26) Operating printing presses.

Includes operating or assisting in operating any job, cylinder, or offset printing presses.

(27) Meat packing, processing, butchering, rendering or slaughtering.

The following occupations are prohibited:

- All occupations on the killing floor, in curing cellars, and in hide cellars.
- All occupations involved in the recovery of lard and oils.
- All occupations involved in tankage or rendering of dead animals.
- All occupations involved in the operation or feeding of the following power-driven meat-processing machines, including the occupations of setting-up, adjusting, repairing, oiling, or cleaning such machines: meat patty forming machines, meat and bone cutting saws, knives, head splitters, and guillotine cutters; snout pullers and jaw pullers; skinning machines; horizontal rotary washing machines; casing-cleaning machines such as crushing, stripping, and finishing machines; grinding, mixing, chopping, and hashing machines; and presses.
- All boning occupations.

- All occupations that involve the pushing or dropping of any suspended carcass, half carcass, or quarter carcass.
- All occupations involving hand-lifting or hand-carrying any carcass or half carcass of beef, pork, or horse, or any quarter carcass of beef or horse.

Exception: The above does not apply to messengers, runners, hand-truckers, and similar occupations which require entering such work rooms or work places infrequently and for short periods of time.

Employment Note: Occupation numbers 3, 4, 7, 9, 14, 18, and 27 shall not apply to minors 16 and older who are enrolled in a work-study, student-learner, or cooperative education program through the Alabama Department of Education, or in a registered Apprenticeship and Training Program through the U.S. Department of Labor.

ALCOHOLIC BEVERAGES/ENTERTAINMENT

No person under 21 years of age may serve or dispense alcoholic beverages where they are sold for consumption on the premises. Minors 18 years of age or older may wait tables, but may not serve alcoholic beverages. Minors 16 or 17 years of age may be employed in such places as bus boys, dishwashers, janitors, cooks, seaters, or hostesses.

14-and 15-year-olds who are members of the immediate family of the owner or operator may be employed in such places provided they do not serve, sell, or handle alcoholic beverages.

Minors age 14 or older may perform as entertainers in establishments that serve alcoholic beverages; however, minors under 18 years of age may not perform nude or partially nude dancing (i.e., exotic or go-go-dancers) in any establishment.

CAUTION CONCERNING FEDERAL CHILD LABOR REGULATIONS

Alabama and Federal child labor laws and regulations differ in some instances. Work permits should be issued in compliance with both state and federal standards. When there is a difference, the employer must follow the higher standard.

FEDERAL HAZARDOUS ORDERS

Particularly dangerous jobs that teenagers under 18 are not allowed to hold according to federal law are those that the Secretary of Labor has declared hazardous. They are:

1. Occupations in or about plants or establishments manufacturing or storing explosives or articles containing explosive components.
2. Occupations of motor-vehicle driver and outside helper.
3. Coal mine occupations.
4. Logging occupations and occupations in the operation of any sawmill, lath mill, shingle mill, or cooperage-stock mill.
5. Occupations involved in the operation of power-driven woodworking machines.
6. Occupations involving exposure to radioactive substances and to ionizing radiations.
7. Occupations involved in the operation of elevators and other power-driven hoisting apparatus.
8. Occupations involved in the operation of power-driven metal-forming, punching, and shearing machines.
9. Occupations in connection with mining, other than coal.
10. Occupations involving slaughtering, meat-packing, processing, or rendering.
11. Occupations involved in the operation of certain power-driven bakery machines.
12. Occupations involved in the operation of certain power-driven paper-products machines.
13. Occupations involved in the manufacture of brick, tile, and kindred products.
14. Occupations involved in the operation of circular saws, band saws, and guillotine shears.
15. Occupations involved in wrecking, demolition, and shipbreaking operations.
16. Occupations involved in roofing operations.
17. Occupations in excavation operations.

In most *Hazardous Occupations Orders* there are some jobs permitted for 16 and 17 year olds. The employer, not the issuing officer, is ultimately responsible for determining the legality of occupations for minors in his or her employ. Employers are advised to contact the Wage and Hour Division of the U.S. Department of Labor should they have any questions regarding federal child labor regulations.

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